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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GOLDSMITH ENTERPRISES LLC., a Nevada
Limited liability company,

Plaintiff,

v.

U.S. BANK, N.A., form and type of entity
unknown; ABSOLUTE COLLECTION
SERVICES, LLC., a Nevada Limited, liability
company; DOES I through X and ROB
BUSINESS ENTITIES I through X, inclusive,

Defendants.

Case No.: 2:15-cv-00991-MMD-PAL

**JOINT MOTION TO SUBSTITUTE
PARTY**

Plaintiff Goldsmith Enterprises, LLC and its counsel, Joseph Hong, Esq. together with U.S. Bank, N.A., and its counsel Melanie D. Morgan, Esq. and of the law firm of AKERMAN LLP, move this Court for an order substituting U.S. Bank, National Association as Trustee for Harborview Mortgage Loan Trust 2005-8, Mortgage Loan Pass-Through Certificates, Series 2005-8 as party-defendant in the place of the named defendant, "U.S. Bank, N.A., form and type of entity known". In support, the parties state:

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...

1 1. Effective May 18, 2011, Beazer Mortgage Corporation, through Mortgage Electronic
2 Registration Systems, Inc., assigned its right, title and interest in the deed of trust at issue in the
3 instant case to U.S. Bank, National Association as Trustee for Harborview Mortgage Loan Trust
4 2005-8, Mortgage Loan Pass-Through Certificates, Series 2005-8 pursuant to an Assignment of
5 Deed of Trust (**Assignment**) recorded in the Office of the Clark County Recorder as Instrument
6 201105180000640. A copy of the Assignment is attached as **Exhibit A**.

7 2. Based on the foregoing, U.S. Bank, National Association as Trustee for Harborview
8 Mortgage Loan Trust 2005-8, Mortgage Loan Pass-Through Certificates, Series 2005-8 is now the
9 owner and holder of the deed of trust at issue in the instant action and is therefore the real party in
10 interest. As a result, U.S. Bank, National Association as Trustee for Harborview Mortgage Loan
11 Trust 2005-8, Mortgage Loan Pass-Through Certificates, Series 2005-8 should be substituted for
12 "U.S. Bank, N.A., form and type of entity known" as party-defendant and counterclaimant.

13 3. As a result of the substitution of party-defendant and counterclaimant, the case
14 caption should be amended to read: Goldsmith Enterprises, LLC, a Nevada limited liability
15 company, Plaintiff/Counter-defendant, and U.S. Bank, National Association as Trustee for
16 Harborview Mortgage Loan Trust 2005-8, Mortgage Loan Pass-Through Certificates, Series 2005-8
17 Defendant/Counterclaimant.

18 4. No prejudice will result from the granting of this joint motion.

19 Plaintiff Goldsmith Enterprises, LLC and its counsel, Joseph Hong, Esq. and Defendant U.S.
20 Bank, National Association as Trustee for Harborview Mortgage Loan Trust 2005-8, Mortgage Loan
21 Pass-Through Certificates, Series 2005-8 and its counsel, Melanie D. Morgan, Esq. of Akerman
22 LLP respectfully request this Court enter an order substituting U.S. Bank, National Association as
23 Trustee for Harborview Mortgage Loan Trust 2005-8, Mortgage Loan Pass-Through Certificates,
24 Series 2005-8 as party-defendant in the place of "U.S. Bank, N.A., form and type of entity known"
25 and grant any other relief this Court deems just and proper.

26 ...

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28 ...

DATED this 28th day of September, 2015

DATED this 28th day of September, 2015.

AKERMAN LLP

HONG & HONG APLC

/s/ Melanie D. Morgan, Esq.

/s/ Joseph Y. Hong, Esq.

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*Attorneys for [proposed] Defendant U.S. Bank,
National Association as Trustee for Harborview
Mortgage Loan Trust 2005-8, Mortgage Loan
Pass-Through Certificates, Series 2005-8*

*Attorneys for Plaintiff Goldsmith Enterprises
LLC*

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE PEGGY LEEN

DATED: __ October 13, 2015

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